

REMARKS

Applicants have carefully reviewed and considered the Examiner's Action mailed April 30, 2007. Reconsideration is respectfully requested in view of the foregoing amendments and the comments set forth below.

By this Amendment, claims 18, 20, 21, 23, 25-26, 29, 33-34 and 37 are amended, claims 22, 30-31 and 37 are canceled, and new dependent claims 38-39 are presented. Accordingly, claims 18-21, 23-29, 32-36 and 38-39 are pending in the present application.

Claims 1-37 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,484,208 to Hemming et al. (hereinafter referred to as "Hemming"). This rejection is traversed.

Hemming is directed to an apparatus for injecting tobacco smoke modifying material into multiple length filter rods via needles 30, 31, 32, 33. However, in order for the injection process taught by Hemming to function, the drum 3 with channels 12 must stop so that the filter rod is stationary for the injection (column 3, lines 51-55). That is, Hemming fails to disclose the recited method of introducing medium into the filter rods or filter segments "during the **continuous** transport of the filter rods or filter segments while the filter rods or filter segments are positioned on a conveying drum or operating drum **thereby preventing any interruption of the continuous filter-production operation**" (Claim 18, lines 9-12 and claim 29, lines 7-8, emphasis added). Paragraphs [0007]-[0009] of the originally filed specification provide support for the recitation of continuous as set forth in independent claims 18 and 29.

Hemming clearly discloses a system where the transport or conveying drum must stop in order for the needles 30, 31, 32, 33 to be inserted into a stationary filter rod.

After the injection of the medium into the filter rod, the needles of the injection device (17-20) disclosed by Hemming are withdrawn. See column 2, lines 59 ff and column 3, lines 46 ff of Hemming. A geared electric motor 11 moves the drum serially via a Geneva disc so that a filter rod is stationary when the cam moves the injection device of Humming to the filter rod. After the injection device is withdrawn from the filter rod, the drum 3 is released to rotate by a predetermined step via the Geneva disc 7 (which translates a continuous rotation into an intermittent rotary motion) so that the next filter rod is presented in a stationary for injection of the medium. See column 2, lines 52-55 of Hemming. Consequently, Hemming cannot anticipate claims 18-19, 21, 23-29, 32-36 and 38-39 because it discloses an intermittent rotary motion for the transport of filter rods contrary to the claimed invention. Withdrawal of the rejection under 35 U.S.C. §102(b) is respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully requested that the rejection of record be withdrawn and that a Notice of Allowance be issued indicating that claims 18-19, 21, 23-29, 32-36 and 38-39 are allowed over the prior art of record.

Should the Examiner believe that a conference would advance the prosecution of this application, the Examiner is encouraged to telephone the undersigned counsel to arrange such a conference.

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Respectfully submitted,



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